

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CHARLES LANGONE, as FUND MANAGER)	
of the NEW ENGLAND TEAMSTERS AND)	
TRUCKING INDUSTRY PENSION FUND,)	
)	
Plaintiff,)	
)	C.A. No. 04cv11454 GAO
v.)	
)	
THE 357 CORP.)	
)	
Defendant.)	
)	

MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT

Now comes the Plaintiff, Charles Langone, Fund Manager of the New England Teamsters and Trucking Industry Pension Fund (hereinafter the "Pension Fund"), who moves to amend his complaint pursuant to F.R.C.P. 15 and submits the attached First Amended Complaint for filing. This is an action for the collection of withdrawal liability pursuant to the Employee Retirement Income Security Act of 1974 ("ERISA"), 29 U.S.C. §1001, *et seq.*, as amended by the Multi-Employer Pension Plan Amendments Act, 29 U.S.C. §1381 *et seq.* In support of this motion, Plaintiff relies upon the attached Memorandum of Law and Rule 15(a) certification.

Dated: July 8, 2005

Respectfully submitted,

For the Plaintiff,
CHARLES LANGONE, FUND MANAGER,
By his Attorney,

/S/ Catherine M. Campbell
Catherine M. Campbell
BBO #549397
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Certificate of Service

I, Catherine M. Campbell, hereby certify that I caused a copy of the foregoing to be mailed this day by U.S. first-class mail to Geoffrey P. Wermuth, Esq., Murphy, Hesse, Toomey & Lehane, LLP, World Trade Center East, Two Seaport Lane, Boston, MA 02210.

/S/ Catherine M. Campbell
Catherine M. Campbell

Date: July 8, 2005